

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:08-CV-00464-H**

NATIONAL GENETICS INSTITUTE and)
BAXTER INTERNATIONAL, INC.)
)
Plaintiffs,)
)
v.)
)
TALECRIS BIOTHERAPEUTICS, INC.)
)
Defendant.)

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs National Genetics Institute (“NGI”) and Baxter International, Inc. (“Baxter”) and Defendant Talecris Biotherapeutics, Inc. (“Talecris”) that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), NGI’s and Baxter’s claims against Talecris, and Talecris’s counterclaims against NGI and Baxter be, and they hereby are, dismissed with prejudice. Plaintiffs shall not be responsible for Defendant's attorney's fees, expenses and costs; nor shall Defendant be responsible for Plaintiffs' attorney's fees, expenses and costs.

Dated: October 11, 2010.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of October, 2010, I electronically filed the foregoing STIPULATION OF DISMISSAL WITH PREJUDICE with the Clerk of Court using the CM/ECF system, which will automatically send documentation of such filing to the following attorneys of record:

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This 11th day of October, 2010.

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